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amnesty international

INTERNATIONAL SECRETARIAT
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EXTERNAL (for general distribution)

URGENT ACTION

AI Index: ASA 21/24/92
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Further information on UA 366/92 (ASA 21/17/92, 23 November 1992) - and follow-ups: ASA 21/19/92 of 24 November 1992, ASA 21/20/92 of 26 November 1992, ASA 21/21/92 of 30 November 1992 and ASA 21/23/92 of 4 December 1992 - Legal concern/fear of torture/fear of "disappearance"

INDONESIA/EAST TIMOR: Xanana Gusmão, 45
Rufina Conceiçao Araujo (female), 74
Augusto Pereira, 43) husband and
Aliança de Araujo (female), 40) wife
Ligia de Araujo (female), 22
Jorge Manuel Araujo Serrano, 21
Regina Conceiçao Araujo Serrano, (female), 18
Francisco Almeida Araujo, 17
Armandina Gusmão dos Santos) relatives of Xanana
Gilman A. Exposto dos Santos) Gusmão
Olandina Caeiro Alves (female)
Oscar Lima
Americo

Joachim Gusmão Reis, 23) relatives of
Sandra Gusmão Reis, 21) Xanana Gusmão
Victor
Macario
and at least three others

The Indonesian Government permitted representatives of the International Committee of the Red Cross (ICRC) to visit Xanana Gusmão at an unspecified location in Jakarta on 7 December 1992. He had been held incommunicado for 17 days before the visit, and there were fears for his safety. At least 39 others, and possibly many more, detained in East Timor since early November, have yet to be visited by the ICRC. They are being held in incommunicado custody and some are reported to have been subjected to severe forms of torture.

ICRC officials confirmed on 8 December that they had visited Xanana Gusmão in Jakarta. A report of the visit will be submitted to the Government of Indonesia but, in accordance with ICRC policy, it will not be published. The authorities have reportedly promised further ICRC visits to Xanana Gusmão but the timing of the visits has yet to be negotiated.

Amnesty International welcomes the ICRC visit, but notes with serious concern that it occurred 17 days after Xanana Gusmão's arrest, during which time he may have been subjected to physical and mental torture and ill-treatment. Amnesty International believes that it is essential for ICRC representatives, independent lawyers and relatives to be granted frequent, regular access to Xanana Gusmão, if his safety is to be effectively guaranteed while he is in custody.

Those still held incommunicado in East Timor include at least 19 close associates or relatives of Xanana Gusmão, arrested after his capture on 20 November; and at least 20 others, arrested prior to and during the anniversary of the November 1991 Santa Cruz massacre (see UA 367/92, ASA 21/18/92, of 23 November 1992 and follow ups). All are at risk of torture and ill-treatment and there is urgent concern for their safety. The ICRC is seeking to be permitted to visit the Dili detainees in the near future, but it is not known when the visits will take place.

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience.* It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners.*

One of the detainees, Jorge Manuel Araujo Serrano, is reported to have died under torture and two of the women have reportedly been raped by Indonesian soldiers (see ASA 21/23/92 of 4 December 1992). Others are feared to have "disappeared". Amnesty International calls upon the Indonesian authorities to act immediately to clarify the fate and whereabouts of these detainees and to allow ICRC officials, independent lawyers and relatives immediate access to their place of detention.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters in English or your own language:
- welcoming the fact that the ICRC has been permitted to visit Xanana Gusmão in detention, but noting with concern that the visit occurred after 17 days of incommunicado detention;

- urging the government to allow the ICRC, independent lawyers, doctors and relatives frequent, regular access to Xanana Gusmão in detention;

- seeking clarification of the precise whereabouts of Xanana Gusmão;

- expressing urgent concern for the safety of the 39 others arrested since early November, and of all political detainees in East Timor; calling on the government to permit ICRC representatives, independent lawyers, doctors and relatives immediate access to their place of detention;

- calling on the government to release all those detained solely for peaceful political views, or for association with Xanana Gusmão's family.

APPEALS TO:

1. Brig Gen Theo Syafei — **Salutation: Dear Brig Gen Syafei**
PANGKOLAKOPS
Markas Besar KOLAKOPS/KOREM 164
Dili, East Timor
Indonesia
Telegrams Brig Gen Syafei, Dili, East Timor

2. Maj Gen Suwardi — **Salutation: Dear Maj Gen Suwardi**
Markas Besar, KODAM IX/Udayana
Denpasar, Bali, Indonesia
Telegrams: Maj Gen Suwardi, Kodam IX, Denpasar, Bali,

3. General Try Sutrisno — **Salutation: Dear General Sutrisno**
Commander of the Armed Forces
Markas Besar ABRI
Cilangkap, East Jakarta
Indonesia
Telegrams: Gen Try Sutrisno, Markas Besar ABRI, Jakarta, Indonesia
Faxes: + 62 21 36 1471 (Armed Forces HQ);
+ 62 21 37 8144 (Army HQ);
+ 62 21 35 6404

COPIES OF YOUR APPEALS TO:
Indonesian Legal Aid Foundation (LBH)
Jl. Diponegoro 74
Jakarta 10320
Indonesia

and to diplomatic representatives of Indonesia/East Timor accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 January 1993.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended actions. If possible, send a telegram, telex, fax or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Actions cases, Amnesty International has to act rapidly on behalf of victims of grave human rights violations. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action co-ordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.